UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. 9004-1(b)

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**Order Filed on October 4, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey**

IN RE:

RAYMOND C. MIDDLETON

                                    Debtor

Case No.: 20-22444-VFP

Chapter 13

Judge: Vincent F. Papalia

CONSENT ORDER RESOLVING CHAPTER 13 DEBTOR'S OPPOSITION TO BMW BANK OF NORTH AMERICA'S CERTIFICATION OF DEFAULT

The relief set forth on the following pages, number two (2) through three (3) is hereby **ORDERED**.

DATED: October 4, 2024

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**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

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Debtor: Raymond C. Middleton
Case No.:   20-22444-VFP
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1.   The 11 USC §362(a) Automatic Stay as to BMW Bank of North America ("Movant"), with respect to the personal property of the Debtor described as a 2015 BMW 6 Series Sedan 4D 640xi AWD 3.0L I6 Turbo, V.I.N. WBA6B8C57FD452956, in accordance with the agreement of the Debtor and Movant, is hereby modified and shall remain in effect.

     PROVIDED THAT Debtor comply with the following terms and conditions:

     a.   The parties stipulate that the Payoff Balance as of September 18, 2024, is $10,544.38. Within 30 days of entry of this Order, the Debtor must either (i) pay the Movant the Payoff Balance; or (ii) file a proposed modification of the plan to add the Payoff Balance in the plan. If the Debtor fails to file a modification or pay the Payoff Balance and fails to do either, it is Final Default under this order.

2.   The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

3.   Debtor will be in default under the Consent Order in the event that Debtor fails to comply with the payment terms and conditions set forth in above Paragraph 1, supra. If the Debtor defaults in any way, an order lifting the automatic stay will be imposed under 11 U.S.C. §362(a), permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

4.   In the event Debtor convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtor shall pay the Payoff Balance, fees, and charges due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtor fails to make payments in accordance with this paragraph, then the Movant shall be granted immediate relief from the automatic stay and under the provisions of Section 362 of the Bankruptcy Code (11 U.S.C.§362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating, and

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completing a sale of the motor vehicle.

5.   The Debtor waives the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

We hereby consent to the form and entry of the foregoing Order.

/s/ Jessica M. Minneci   _Regina Cohen_
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